

**SENATE GENERAL WELFARE COMMITTEE AMENDMENT 1**

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 3206\***

**House Bill No. 3181**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting subdivision (2)(B) of Section 1 in the printed bill and substituting in lieu thereof the following:

(B) The maximum duration of the restrictions or prohibitions is two (2) years.

AND FURTHER AMEND by deleting subdivision (3) of Section 1 in the printed bill and renumbering the remaining subsection accordingly.

AND FURTHER AMEND by adding the following as new subdivisions at the end of the amendatory language of Section 1:

( ) As used in this subsection, "primary practice site" shall include any health care institution, including but not limited to a hospital, clinic, surgery center, or physicians' office, that the faculty practice plan or its affiliated college or university owned, leased, or operated within two (2) years before the termination or conclusion of the employment relationship between the physician and the faculty practice plan and at which the employed physician practiced medicine within such period of two (2) years.

( ) The provisions of this subsection shall not apply:

(1) to any physician employee of a faculty practice plan who practices in the specialties of ophthalmology, radiology, pathology, anesthesiology and/or emergency medicine; or

(2) with respect to any physician employee of a faculty practice plan who practices as a primary care physician or in the specialties of obstetrics or general pediatrics in a health resources shortage area as determined in the health access plan most recently published by the department of health.

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( ) The requirements of this subsection shall not be construed to preclude the enforceability of any restrictive covenant or prohibition exceeding the requirements or conditions of this subsection that is reasonable and not inimical to the public interest under the common law principles governing restrictive covenants.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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